

May 24 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

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FAX - FILED

MAY 24 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

IN THE SUPREME COURT OF THE STATE OF MONTANA

CAUSE NO. _____

RICHARD N. STEFANI,

Appellant,

vs.

NOTICE OF APPEAL

MOUNTAIN WEST BANK, NA,

Appellee.

NOTICE is hereby given that Richard N. Stefani, the Appellant above-named and who is a Defendant in the cause of action filed in the Eighteenth Judicial District in and for the County of Gallatin as Cause No. DV 08-645C, hereby appeals to the Supreme Court of the State of Montana from the Final Deficiency Judgment entered in such action on the 23rd day of April, 2010.

THE APPELLANT FURTHER CERTIFIES:

1. This Appellant certifies that this appeal is subject to the mediation process required by Rule 54, M.R. App. P. If subject to mediation, the money judgment being sought is not less than \$5,000.

2. This is not an appeal from the Order certified as final under M.R.Civ. P. 54(b).

3. That the notice required by M.R. App. P. 27 has been or will be given, within 11 days of the date hereafter to the Supreme Court of the State of Montana and to the Montana Attorney General with respect to a challenge to the constitutionality of any act of the Montana legislature.


4. No hearings were held and there are no transcripts in Cause No. DV 08-645 If all available transcripts have not been ordered, the Appellant has complied with the provisions of M.R. App. P. 8(3) contemporaneous with this filing of this Notice of Appeal.

5. That included herewith is the filing fee prescribed by statute.

DATED this 24th day of May, 2010.

**PATTEN, PETERMAN, BEKKEDAHN &
GREEN, PLLC**

2817 Second Ave. North, Suite 300
Billings, Montana 59101

By: 
James A. Patten
Attorney for Appellant

CERTIFICATE OF SERVICE

I hereby certify that I have filed a true and accurate copy of the foregoing NOTICE OF APPEAL with the Clerk of the Montana Supreme Court by fax filing at 3:00pm May 24, 2010; and that I have served true and accurate copies of the foregoing NOTICE OF APPEAL upon the Clerk of the District Court, each attorney of record, and each party not represented by an attorney in the above referenced District Court action as follows:

Frederick F. Sherwood
Jonathan R. Motl
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401 North Last Chance Gulch
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Jennifer Brandon
Clerk of District Court
615 South 16th, Room 302
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Amy Randall
Mountain West Bank
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Helena, MT 59601

Dated May 24, 2010.



for PATTEN, PETERMAN, BEKKEDAHN & GREEN